



UNITED STATES DEPARTMENT OF COMMERCE

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MPA

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
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09/277,356 03/26/99 KIM

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EXAMINER

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| | |
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| ART UNIT | PAPER NUMBER |
|----------|--------------|

2871

DATE MAILED:

07/17/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

| Offic Action Summary | Application No. | Applicant(s) | |
|-----------------------------|------------------------|---------------------|--|
| | 09/277,356 | KIM ET AL. | |
| | Examiner | Art Unit | |
| | Toan Ton | 2871 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on ____ .

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-34 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) _____ is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claims 1-34 are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are objected to by the Examiner.

11) The proposed drawing correction filed on _____ is: a) approved b) disapproved.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

15) Notice of References Cited (PTO-892) 18) Interview Summary (PTO-413) Paper No(s). ____ .
16) Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) Notice of Informal Patent Application (PTO-152)
17) Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ . 20) Other: ____ .

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Election/Restriction

1. This application contains a plurality of disclosed patentably distinct species comprising :
 - (I) the specifics of a device/method corresponding to a first embodiment [Figures 1-5],
 - (II) the specifics of a device/method corresponding to a second embodiment [Figures 6-10].

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species, even though this requirement is traversed.

2. If species (I) is elected above, a further election of one of a plurality of disclosed patentably distinct species is required :
 - (Ia) the specifics of the device/method being comprised of the details of the engaging hole (Figures 5A, 5C);
 - (Ib) the specifics of the device/method being comprised of the details of the bracket (Figures 5B, 5D).
3. If species (Ia) is elected above, a further election of one of a plurality of disclosed patentably distinct species is required :
 - (Ia1) the specifics of the device/method being comprised of the details of a particular engaging hole (Figure 5A);

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(Ia2) the specifics of the device/method being comprised of the details of a particular engaging hole (Figure 5C).

4. If species (Ib) is elected above, a further election of one of a plurality of disclosed patentably distinct species is required :

(Ib1) the specifics of the device/method being comprised of the details of a particular bracket (Figure 5B);

(Ib2) the specifics of the device/method being comprised of the details of a particular bracket (Figure 5D).

5. If species (II) is elected above, a further election of one of a plurality of disclosed patentably distinct species is required :

(IIa) the specifics of the device/method being comprised of the details of a bracket (Figure 7);

(IIb) the specifics of the device/method being comprised of the details of an engaging member (Figures 8A, 8B).

6. If species (IIb) is elected above, a further election of one of a plurality of disclosed patentably distinct species is required :

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(IIb1) the specifics of the device/method being comprised of the details of a particular engaging member (Figure 8A);

(IIb2) the specifics of the device/method being comprised of the details of a particular engaging member (Figure 8B).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

Contact Information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to T. TON whose telephone number is (703) 305-3489. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

July 16, 2001

Minh-Toan T. Ton
Patent Examiner
Technology Center 2800